

ARTICLE APPEARED
ON PAGE A19WASHINGTON POST
4 January 1986

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'He Completely Falsifies My Public Record'

Allow me to correct some of Col. Lawrence Tracy's misstatements about the Nicaragua World Court case and my testimony [Free for All, Dec. 21].

1. Would the case have gone to court without my "revelations," as he calls them? Yes. Nicaragua filed its papers in April 1984. I made my first "revelation" on June 11, 1984.

2. He completely falsifies my public record. My testimony at the World Court was absolutely consistent with every statement I have made (including my debates with him) and with the documents relevant to my period of service with the CIA I have had cleared by the agency's Publications Review Board.

To wit, there was credible evidence of Nicaraguan involvement in the passage of arms to FMLN insurgents in El Salvador at the end of 1980 and in very early 1981. This evidence ceased to appear in March 1981. From then until I left the CIA in April 1983, I found no reliable evidence to support the administration's public charges against Nicaragua. Therefore, the use of these charges as justification for initiating the contra war in November 1981 was false, and the administration knew it was false.

None of this has had to be "extracted" from me in court or anywhere else. I have never "concealed" this. Likewise, my testimony on alleged "command and control" activities was consistent with all my public statements. I have no reliable information on what activities went on in Managua under this vague and ill-defined category, nor about alleged Nicaraguan participation therein.

3. Tracy asks why no one has "come forward to substantiate my claims." In recent years, reporters such as

Christopher Dickey of The Post, Charles Mohr of The New York Times, Julia Preston of The Boston Globe and Jonathan Kwitny of The Wall Street Journal have all published articles concluding the "arms flow" does not exist. Tracy may also want to consult the writings of Wayne Smith, former head of the U.S. Interests Office in Havana, or of Lt. Col. Ed King, retired analyst for the Joint Chiefs of Staff. It is not I who makes unsubstantiated claims; it is the administration. It is up to Tracy and his ilk to substantiate, not me, and they don't because they can't.

4. That Congress issues findings in accordance with administration foreign policy is nothing new. Tracy probably remembers when Congress accepted administration "evidence" of a North Vietnamese attack on U.S. ships that never happened and voted the Tonkin Gulf Resolution. Recent Congresses have accepted patently false presidential declarations that El Salvador was improving its human rights practices and making good-faith efforts to bring to justice those of its officers who were responsible for the murders of U.S. citizens. The Boland amendment prohibited the use of contra funds for destabilizing or overthrowing the Nicaraguan government, and year after year Congress has with a straight face accepted administration assurances that the law was being respected.

Edgar Chamorro, former member of the contra political directorate, declared in his sworn deposition to the World Court, that he and the other contra leaders were consistently told by their CIA handlers that the alleged arms flow, of which Chamorro swears they never saw any evidence, was only a cover story to get money from Congress. He further disclosed that he and other contra leaders

were coached by CIA advisers on the stories they were to tell the congressmen with whom the CIA arranged interviews for them.

Both the CIA and the Department of State have well-known histories of misleading legislators all too willing to be misled. Congressional statements based on information not subject to public scrutiny are far from conclusive.

5. Tracy's final paragraph is loony logic. Nicaragua, brutally attacked by the United States—not for the first time in its history, either—with the participation of and from the territory of the very neighbors who claim that they are the victims, seeks relief in the World Court. But the United States refuses to appear in court—the place, one would think, where the rule of law and the peaceful resolution of disputes, piously invoked by Tracy, are accomplished. So somehow, by State Department ratiocination, Nicaragua's lawyers are defending Managua's alleged attacks on its neighbors. They and the United States are denied their right "enshrined" (yet!) in the U.N. Charter to defend themselves by making war against another U.N. member. This, according to Tracy, the United States is authorized to do without recourse to U.N. consultation and peace-keeping provisions. And of course the United States is entitled to withhold from U.N. scrutiny the evidence on the basis of which it claims this "right." Brilliant. And the good colonel claims to be fascinated and incredulous at my assertions!

—David C. MacMichael

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